

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ANGELINA JACOB,

Plaintiff,

v.

RENEGADE AUTO TRANSPORT
CORP.; JUAN CARLOS MEDEROS
a/k/a JUAN CARLOS MEDEROS
HORTAS; and PRIME PROPERTY &
CASUALTY INSURANCE
COMPANY,

Defendants.

CIVIL ACTION FILE NO.

DEFENDANTS' PETITION FOR REMOVAL

COME NOW Defendants Renegade Auto Transport Corp.; Juan Carlos Mederos a/k/a Juan Carlos Mederos Hortas; and Prime Property & Casualty Company (collectively “defendants”), each by and through their undersigned counsel, and pursuant to 28 U.S.C. § 1446 and 28 U.S.C. § 1332, hereby remove the above-styled action from the State Court of DeKalb County, Georgia based on the following grounds:

1.

On or about March 10, 2022, Plaintiff Angelina Jacob filed suit against the above-named Defendants in the State Court of DeKalb County, Georgia, Civil Action File Number 22CV0027. A copy of all process, pleadings and orders filed in this action are attached hereto as Exhibit “A.”

2.

Plaintiff is a citizen of Georgia. (Compl. ¶ 3).

3.

Mederos is a citizen of Florida.

4.

Renegade Auto Transport Corporation is a citizen of Florida as it is incorporated in Florida and its principal place of business is in Florida.

5.

Prime Property & Casualty Insurance Inc. is a citizen of Utah and Illinois as it is incorporated in Illinois and its principal place of business is in Utah.

6.

As a result of this matter’s underlying accident plaintiff claims severe and permanent left knee, left shoulder, neck, and back injuries, has incurred \$40,470.52 in medical expenses, and seeks to recover for her pain and suffering, disability, loss

of earning capacity, loss of enjoyment of life, anxiety, lost wages, mental and emotional suffering, shock of impact, worry, and future pain and suffering. (Compl. ¶¶ 67-70).

7.

The amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

8.

As such, defendants may remove this action to this Court pursuant to 28 U.S.C. § 1332(a)(1) as there is complete diversity between plaintiff and the defendants.

9.

All defendants consent to this removal.

10.

This petition for removal is filed within 30 days of service of the complaint on defendants and is timely pursuant to 28 U.S.C. § 1446(b)(3).

11.

Pursuant to 28 U.S.C. § 90(a)(2), the United States District Court for the Northern District of Georgia, Atlanta Division, is the district court having jurisdiction over the geographical area where the state court action is pending.

Pursuant to 28 U.S.C. § 1446(a), defendants are entitled to remove this action from the State Court of DeKalb County to this Court.

12.

Defendants have given written notice of the filing of this notice to plaintiff, and the Clerk of the State Court of DeKalb County, a copy of which is attached hereto as Exhibit “B.”

13.

The undersigned has read this notice of removal, and to the best of the undersigned’s knowledge, information, and belief, formed after reasonable inquiry, it is well grounded in fact; is warranted by existing law or an extension or modification of existing law; and is not interposed for any improper purposes, such as to harass or cause unnecessary delay or needless increase in the cost of this litigation.

14.

Based on the foregoing, defendants request that this Court allow the requested removal and assert jurisdiction over the state court action.

[signatures on following pages]

This 20th day of July, 2022.

FREEMAN MATHIS & GARY, LLP

/s/ Wayne S. Melnick

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), I certify that the foregoing **DEFENDANTS'**
PETITION FOR REMOVAL has been prepared in accordance with Local Rule
5.1(C) (Times New Roman font, 14 point).

This 20th day of July, 2022.

FREEMAN MATHIS & GARY, LLP

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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically submitted the foregoing *DEFENDANTS' PETITION FOR REMOVAL* to the Clerk of Court using the Court's e-filing system which will automatically send electronic mail notification of such filing to the following parties and counsel of record and depositing a true and correct copy thereof in the United States mail, postage prepaid, properly addressed upon:

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This 20th day of July, 2022.

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